

**UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO,  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

MDL NO. 2804

Case No. 17-MD-2804

**THIS DOCUMENT RELATES TO:**

*MDL No. 2804; Case No. 17-MD-2804; and  
GARY CARR, Individually and next friend and  
on behalf of all wrongful death beneficiaries of  
LUTHER GREER v. AKORN, INC. et al., MDL  
Case Nos. 19-OP-46116 and 19-OP-46117*

Judge Dan Aaron Polster

**MOTION TO WITHDRAW AS COUNSEL FOR DEFENDANTS  
HI-TECH PHARMACAL CO., INC. AND AKORN, INC.**

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Movant Andrew Scott Harris (“Movant”) respectfully requests leave of this Court to withdraw as counsel for Hi-Tech Pharmacal Co., Inc. and Akorn, Inc. (collectively, the “Akorn Defendants”). In support of this Motion, Movant states as follows:

1. Movant requests to withdraw as counsel for the Akorn Defendants herein pursuant to Rule 1.16(b) of the Ohio Rules of Professional Conduct and pursuant to Rule 83.9 of the Local Civil Rules of the Northern District of Ohio.

2. As indicated by the Notice of Suggestion of Pendency of Bankruptcy [Rec. Doc. 3428], the Akorn Defendants have sought relief under the United States Bankruptcy Code.

3. As a result of the Akorn Defendants seeking relief under the Bankruptcy Code, Movant’s representation of the Akorn Defendants has ended and Movant seeks leave of Court to withdraw from the representation of the Akorn Defendants in the primary MDL case (No. 17-MD-2804 and MDL No. 2804) as well as the related cases *GARY CARR, Individually and next friend and on behalf of all wrongful death beneficiaries of LUTHER GREER v. AKORN, INC. et al.*, MDL Case Nos. 19-OP-46116 and 19-OP-46117.

4. In accordance with Local Rule 83.9, Movant provided written notice of Movant's intention to withdraw to Amanda R. Steele, with the law firm of Richards, Layton & Finger, P.A., who is counsel to the Plan Administrator in the Bankruptcy for the Akorn Defendants. Movant provided a copy of this Motion and proposed order to Ms. Steele. Ms. Steele, on behalf of the Akorn Defendants and the Plan Administrator, has consented to Movant's withdrawal as counsel of record.

5. By this Motion, Movant provides notice to all other parties in this litigation and to the Court of the intention to withdraw as counsel for the Akorn Defendants.

6. Movant's withdrawal as counsel for the Akron Defendants will not have any material adverse effect on the Akorn Defendants in light of the Akorn Defendants' Bankruptcy.

7. As a result, withdrawal of Movant as counsel for the Akorn Defendants is appropriate pursuant to Ohio Rule of Professional Conduct 1.16(b) and Local Rule 83.9.

8. A proposed order is attached as **Exhibit 1** hereto.

WHEREFORE, Andrew Scott Harris respectfully requests this Court grant this Motion to Withdraw as Counsel for good cause shown and to discontinue ECF notifications for him in this matter.

Dated: October 5, 2023

Respectfully submitted,

By: /s/ Andrew S. Harris

Andrew S. Harris (MS Bar No. 104289)  
JONES WALKER LLP  
190 East Capitol Street, Suite 800  
Jackson, Mississippi 39201  
Tel: (601) 949-4900; Fax: (601) 949-4804  
aharris@joneswalker.com

**Certificate of Service**

I hereby certify that on this date I filed a copy of the foregoing document electronically via the Court's electronic filing system. Notice of this filing will be sent by email through the Court's electronic case-filing system to all counsel of record. Parties may access this filing through the Court's system.

I also hereby certify that I have provided a copy of the foregoing document to Amanda R. Steele, counsel to the Plan Administrator in the Bankruptcy for the Akorn Defendants, by forwarding a copy of it to her via email at steele@rlf.com.

Dated: October 5, 2023

By: s/ Andrew S. Harris  
Andrew S. Harris